



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

Michael Bayes  
Jessica F. Johnson  
Holtzman Vogel Josefiak Torchinsky PLLC  
45 North Hill Drive, Suite 100  
Warrenton, VA 20186

JAN 26 2018

RE: MUR 7254  
Revv, LLC  
Nick Marcelli  
Gerrit Lansing

Dear Mr. Bayes and Ms. Johnson:

On June 26, 2017, the Federal Election Commission ("Commission") notified your clients of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended (the "Act"). On January 5, 2018, based upon the information contained in the complaint and information provided by respondents, the Commission decided to dismiss allegations that your clients violated provisions of the Act. The Commission then closed its file in this matter. Copies of the General Counsel's Report, which more fully explains the basis for the Commission's decision, are enclosed.

Documents related to the case will be placed on the public record within 30 days. See Statement of Policy Regarding Disclosure of Closed Enforcement and Related Files, 68 Fed. Reg. 70,426 (Dec. 18, 2003) and Statement of Policy Regarding Placing First General Counsel's Reports on the Public Record, 74 Fed. Reg. 66132 (Dec. 14, 2009). If you have any questions, please contact Don Campbell, the attorney assigned to this matter, at (202) 694-1650.

Sincerely,

Lisa J. Stevenson  
Acting General Counsel

A handwritten signature in black ink, appearing to read "Jeff S. Jordan", is written over the typed name of the Assistant General Counsel.

BY: Jeff S. Jordan  
Assistant General Counsel

Enclosure:  
General Counsel's Reports

**BEFORE THE FEDERAL ELECTION COMMISSION**

**ENFORCEMENT PRIORITY SYSTEM  
DISMISSAL REPORT**

**MUR:** 7254

**Respondents:** Donald J. Trump for President, Inc.  
and Bradley T. Crate, as treasurer  
(the "Committee")  
Revv, LLC  
Nick Marcelli  
Gerrit Lansing  
Chris Georgia  
Sikandar Shukla

**Complaint Receipt Date:** June 21, 2017

**Response Date:** July 13, 2017; July 27, 2017

**EPS Rating:**

**Alleged Statutory  
Regulatory Violations:**

**52 U.S.C. § 30122;  
11 C.F.R. § 110.4(b)(1)(i), (ii)**

The Complainant claims that she received an email on July 16, 2016, thanking her for making a \$5 donation to the Committee. The Complainant asserts that she made no such donation, and informed the Committee as such soon after receiving the email. The Complaint claims that the Committee and/or the owners and operators of Revv, LLC ("Revv"), the online platform the Committee used to process campaign contributions, failed to use proper safeguards to prevent the receipt of fraudulent donations or contributions made in the name of another.<sup>1</sup> The Complainant also states that she emailed Revv and requested a refund.

Both Respondents argue that the Complaint does not allege a violation under the Federal Election Campaign Act of 1971, as amended ("the Act"), or Commission regulations. Revv, which operates an online contribution portal, states that it received a \$5 contribution for the Committee from the Complainant, for which it received a proper authorization from Stripe, its payment

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<sup>1</sup> The Federal Election Campaign Act of 1971, as amended, and Commission regulations provide that no person shall make a contribution in the name of another person, or knowingly permit his or her name to be used to effect such a contribution. 52 U.S.C. § 30122; 11 C.F.R. § 110.4(b)(1)(i), (ii).

processor. While Revv maintains that it committed no violation, it nonetheless refunded \$5 to the Complainant on July 13, 2017.

Based on its experience and expertise, the Commission has established an Enforcement Priority System using formal, pre-determined scoring criteria to allocate agency resources and assess whether particular matters warrant further administrative enforcement proceedings. These criteria include (1) the gravity of the alleged violation, taking into account both the type of activity and the amount in violation; (2) the apparent impact the alleged violation may have had on the electoral process; (3) the complexity of the legal issues raised in the matter; and (4) recent trends in potential violations and other developments in the law. This matter is rated as low priority for Commission action after application of these pre-established criteria. Given that low rating, the low amount at issue, and the refund issued to the Complainant, we recommend that the Commission dismiss the Complaint consistent with the Commission's prosecutorial discretion to determine the proper ordering of its priorities and use of agency resources.<sup>2</sup> We also recommend that the Commission close the file as to all the Respondents and send the appropriate letters.

Lisa J. Stevenson  
Acting General Counsel

Kathleen M. Guith  
Associate General Counsel

11.15.17  
\_\_\_\_\_  
Date

BY: Stephen Gura  
Stephen Gura  
Deputy Associate General Counsel

<sup>2</sup> *Heckler v. Chaney*, 470 U.S. 821, 831-32 (1985).

Assistant General Counsel

**Attorney**

1-800-4-A-RENT-A-CAR